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TAGS: [KCRM](#) [PTER](#) [CO](#) [RS](#) [TH](#)

SUBJECT: DEMARCHE TO COLOMBIAN GOVERNMENT ON VIKTOR BOUT

REF: BANGKOK 1998

¶1. (SBU) This is an action request for Bogota. Embassy is requested to urge the Government of Colombia at the highest levels to weigh-in with the Royal Thai Government (RTG) to support the extradition of accused arms smuggler Viktor Bout to the United States. Post may draw from the points in para 4 but should not leave them behind as a non-paper.

¶2. (SBU) Background: Viktor Bout was arrested in Thailand in March 2008, where he has remained in custody pending resolution of a request for extradition to the United States to face trial in New York for conspiracy to kill U.S. nationals and officers; acquire and use anti-aircraft missiles; and provide material support in the form of millions of dollars of military-grade weapons to the Revolutionary Armed Forces of Colombia (FARC), a designated foreign terrorist organization. Until his arrest in Thailand, Bout had not been prosecuted for arms dealing, but has long been suspected of trafficking arms to central and western Africa and is the subject of UN Sanctions for those activities.

¶3. (SBU) On August 11, 2009, a Thai judge denied the U.S. extradition request on the grounds, among others, that the FARC is a political, rather than terrorist, organization, and that its commission of kidnappings and murders constituted protected "political offenses" because the FARC had a purported purpose of political change in Colombia. The judge also ruled that he did not find it credible that Bout, perhaps the most notorious illicit arms trafficker in the world, could supply the quantity and type of weapons about which he was negotiating when he was arrested in Thailand. The Thai Attorney General's office is appealing the ruling, and we are requesting that the Government of Colombia as well as the governments of other countries affected by Bout's arms smuggling network engage the Royal Thai Government (RTG) directly to underscore the significance of this case to the larger international community and help ensure that the RTG provides full support for the appeal.

¶4. (SBU) Begin points for Bogota:

-- The United States is pursuing the extradition of the notorious arms dealer Viktor Bout from Thailand to face charges for conspiracy to kill U.S. nationals and officers; acquire and use anti-aircraft missiles; and provide material support to the Revolutionary Armed Forces of Colombia (FARC), a designated foreign terrorist organization.

-- The RTG supports Bout's extradition, but a Thai judge ruled against the request, asserting among other things that the FARC is a political, rather than terrorist, organization. The judge also maintained that the evidence against Bout was

not credible, and called into question Bout's capacity to provide large amounts of weapons and munitions.

-- We request that the Government of Colombia (GOC) weigh-in with the Royal Thai Government at the highest level to underscore that the FARC is a terrorist organization and not a legitimate political movement and the group's campaign of murder, kidnapping and extortion cannot be excused by its purported political motives.

-- We understand that the GOC may not have a formal mechanism for listing the FARC as an official terrorist organization as both the U.S. and the EU have done, but GOC officials frequently use "terrorist" and "narco-terrorist" to describe the FARC and its leadership. We urge that you convey to the RTG that the GOC considers the FARC to be a terrorist organization.

-- We have urged the RTG to issue a statement making clear its own disappointment with the judge's ruling and reaffirming its commitment to the fight against international terrorism. It would be helpful if the GOC could deliver a similar message to the RTG at the level of Prime Minister or Foreign Minister.

End points.

15. (U) Point of contact for this issue is EAP/MLS Demian Smith, email smithd3@state.gov, phone: 202-647-0036. Please slug any responses for EAP/MLS, EUR/RUS, WHA/AND, S/CT. Department requests action by Tuesday, August 25.
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